



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

May 21, 2019

Mr. Ryan Beible
Managing Member STONE
42687 Leaflet Lane
Chantilly, VA 20152

Re: 3255 Prospect Street, NW (Square 1218, Lot 106) (the "Property")

Dear Mr. Beible:

This letter is to confirm the substance of our Preliminary Design Review Meeting held on September 4, 2018, related to the planned redevelopment of the above referenced property. Based on the review of a schematic plan and our discussion, the proposed redevelopment razing an existing single story commercial building and constructing a four story apartment building with ground floor retail/service space fully complies with the subject MU-4 Zoning requirements and is permitted matter-of-right. Upon proper presentation of plans, I will approve a building permit application for the construction required. In summary I found:

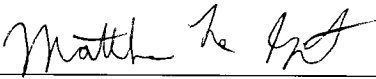
- 1) Use: Residential, retail, and service are permitted uses.
- 2) Multiple Buildings: There are currently two primary buildings on the property; a two story office building, approximately 1,400 square feet, and a single story retail building, approximately 2,500 square feet. The single story retail building is being razed, and the two story building is remaining as-is. The proposed new mixed-use structure, which will be attached to the existing structure, will constitute a separate primary building. Per Subtitle C-302.4, multiple primary buildings are allowed on a single lot in the MU-4 Zone.
- 3) Height: The top of the proposed new building's roof structure is 49'8", which is less than the maximum permitted height of 50' per Subtitle G-403.1. No parapet wall is planned. If the building does have a parapet wall, the highest point of the parapet wall may not be greater than 50'. The point of measurement for the building's height is the level of the curb at the middle of the new building, not at the middle of the combined width of the two buildings.
- 3) Railings: Railings around the perimeter of the roof are permitted, and they do not count towards the building's height, so long as they are set back a distance equal

to their height. The planned railings are 3'6" high, and are set back a minimum of 3'6" from the roof edge.

- 4) Penthouse: Penthouses are permitted in the MU-4 Zone, and are allowed a maximum height of 12 feet except 15 feet for mechanical space, per Subtitle G-403.3. The proposed building includes a penthouse that is approximately 9 feet high.
- 6) Courts: One open court results from the proposed building. The wall to the east is the highest bounding wall. The wall to the north is not a bounding wall since this it only occupies a portion of a side which opens up to a yard. This east bounding wall is approximately 36 feet high. Per Subtitle G-202.1, the minimum required width of an open court is 4 in./ft.. This bounding wall requires a court width of 12 feet, and approximately 13 feet is proposed. Moreover, the area in the front that is bound by three building sides does not fall under regulations for a closed court, since it opens onto a street.
- 7) Yards: No side yards are required, and no side yards are proposed.
- 8) Rear Yards: A rear yard of fifteen feet is required. The lot is irregularly shaped, so the rear yard is measured from the furthestmost point from the street lot line, per Subtitle B 318.1. From this point, the building's provided rear yard measures approximately forty feet.
- 9) Vehicle Parking: No vehicle parking spaces are required, as the proposed building will include four dwelling units, and parking is only required for dwelling units in excess of four. Furthermore, the planned retail/service space in the proposed building encompasses approximately 1,000 square feet, and the service space in the existing to remain building encompasses approximately 1,400 square feet. The combined size of the retail/services uses on the property is less than 3,000 square feet, and vehicular parking for these uses is only required for an area in excess of 3,000 square feet.
- 10) Bicycle Parking: No bicycle parking spaces are required, as the proposed building will include less than eight dwelling units and less than 4,000 square feet of non-residential uses.
- 11) Parking Access: Although no parking spaces are required for the proposed building, should a change in use occur in the future, access to parking under the building, which access would be provided through the garage of the adjacent property, does not violate Subtitle C-711.
- 12) Loading: No loading berths or service/delivery spaces are required, since the proposed building and lot will have less than fifty dwelling units, and less than 5,000 square feet of service/retail uses.

- 13) Green Area Ratio: The minimum required GAR is 0.3, and this requirement will be met.
- 14) Floor Area Ratio: The maximum permitted floor area ratio is 2.5. The lot area is 8,827 square feet, although 78 square feet of lot area falls within the R-20 zone. The floor area ratio is calculated from the MU-4 zone area only, which totals 8,749 square feet. This 8,749 square feet of MU-4 lot area results in a maximum floor area ratio of 21,872 square feet. The proposed building, combined with the existing 1,400 square foot building will total approximately 18,900 square feet.
- 15) Lot Occupancy: The maximum permitted lot occupancy is 60% in both the MU-4 Zone and the R-20 Zone. With a total lot area of 8,827 square feet, the total lot occupancy of both the existing building and the proposed new building may be up to 5,296 square feet. The existing building has a lot occupancy of 710 square feet, so the new building may have a lot occupancy of up to 4,586 square feet, which it does.

Accordingly, when you file the plans for a building permit, I will approve drawings that are consistent with the information noted above. Please let me know if you have any further questions.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Attachment: Schematic Plan Reviewed at PDRM

DISCLAIMER: This letter is issued in reliance upon, and therefore limited to, the questions asked, and the documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is NOT a "final writing", as used in Section Y-302.5 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y 302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator's review. Therefore this letter does NOT vest an application for zoning or other DCRA approval process (including any vesting provisions established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.

Zoning Technician: Daniel Calhoun

File: Det Let re 3255 Prospect Street, NW to Beible on 5-21-2019